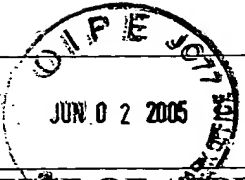


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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

NOTICE OF APPEAL AND TRANSMITTAL OF AMENDMENT		Docket Number 2345/103
Application Number 09/423,948	Filing Date April 14, 2000	Examiner Art Unit George Y. Wang 2871
Title INTERFEROMETER TUNABLE IN A NON-MECHANICAL MANNER BY A PANCHARATNAM PHASE		Applicant(s) Leonid BERESNEV et al.

Address to:

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on
Date: May 30, 2005
Signature: [Signature]
Linda M. Shudy (Reg. No. 47,084)

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action of December 28, 2004 finally rejecting claims 6 to 10. Applicants believe that claims 6 to 10 should be allowed, and respectfully make this appeal of the Examiner's rejections of those claims.

In addition, Applicants are filing herewith an Amendment in the present application for consideration by the Patent Office.

This is also a Request under 37 C.F.R. § 1.136(a) to extend the three-month response date by two months from March 28, 2005 to May 31, 2005 (since May 28-29 is a Saturday-Sunday, and May 30 is a USPTO holiday (Memorial Day)).

The Commissioner is hereby authorized to charge the 37 C.F.R. § 1.191 Notice of Appeal fee, which is believed to be **\$500.00**, and the two-month 37 C.F.R. § 1.136 Extension fee, which is believed to be **\$450.00**, to the deposit account number **11-0600** of **Kenyon & Kenyon**. The Commissioner is also authorized, as appropriate and/or necessary, to charge any additional fees, including any additional Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon**. Two duplicate copies of this paper are enclosed for those purposes.

Dated: May 30, 2005

By: [Signature]
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